

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

HUSSEIN S. HUSSEIN,

Plaintiffs,

v.

ADEL ERSEK; et al.,

Defendants.

3:07-cv-0056-LRH-VPC

ORDER

Before the court is plaintiff Hussein S. Hussein's ("Hussein") objection to the magistrate judge's September 15, 2009 order (Doc. #96¹) granting defendants's motion for a protective order (Doc. #88). Doc. #98.

Local Rule IB 3-1 authorizes a district judge to reconsider any pretrial matter referred to a magistrate judge pursuant to LR IB 1-3 where it has been shown that the magistrate judge's order is clearly erroneous or contrary to law. Here, Hussein objects to the magistrate's order (Doc. #96) arguing that the magistrate failed to consider his points and authorities filed in support of his opposition to defendants' motion for a protective order (Doc. #88). Specifically, Hussein contends that had the magistrate judge read and thoroughly evaluated his briefs, then defendants' motion would not have been granted. *See* Doc. #98.

The court finds that Hussein's argument is without merit. If simply alleging that had the

¹ Refers to the court's docket entry number.

1 judge taken the party's arguments into account then the party's motion would not have been denied
2 was sufficient to satisfy the clearly erroneous standard, then every litigant dissatisfied with a ruling
3 could meet its burden on the simple fact that a motion was denied. There is no legal or logical
4 support for such a position.

5 Additionally, the court finds that the magistrate took Hussein's points and authorities into
6 account before making a decision on the motion. The magistrate held a hearing on the pending
7 motion in order to address all the parties' concerns and to fully evaluate the parties' arguments and
8 factual support. Further, as evidenced by the papers and pleadings on filed in this matter, the
9 magistrate was very familiar with both parties' filings and addressed them appropriately.
10 Accordingly, the court shall affirm the magistrate judge's order.

11
12 IT IS THEREFORE ORDERED that plaintiff's objection to the magistrate judge's order
13 (Doc. #98) is DENIED.

14 IT IS FURTHER ORDERED that the magistrate judge's order addressing various discovery
15 disputes (Doc. #96) is AFFIRMED.

16 IT IS SO ORDERED.

17 DATED this 23rd day of April, 2010.



18
19
20 LARRY R. HICKS
UNITED STATES DISTRICT JUDGE
21
22
23
24
25
26